



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,992	01/30/2001	Joseph Siegrist	9506-004-27	8465

7590 08/02/2005

Supervisor, Patent Prosecution Services
Piper Marbury Rudnick & Wolfe LLP
1200 Nineteenth Street, N.W.
Washington, DC 20036-2412

EXAMINER

SHEW, JOHN

ART UNIT	PAPER NUMBER
----------	--------------

2664

DATE MAILED: 08/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/771,992

Applicant(s)

SIEGRIST ET AL.

Examiner

John L. Shew

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 6/20/2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14 and 17-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/14/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Applicant's arguments with respect to claims 14 and 21 have been considered but are moot in view of the new ground(s) of rejection.

Rejections based on newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frese II et al. (Patent Number 5909545) in view of Pfeifer (Patent Number 5666407).

Claim 14, Frese II teaches a method for configuring a remote computer over data packet network (Abstract lines 1-4) referenced by the remote controlling of an application program over a network, comprising the steps of downloading an applet to an end user computer (Abstract lines 1-7, column 5 lines 15-24) referenced by the

downloading of the Remote Display Module across the network to the user system, executing the applet at the end user computer (Abstract lines 1-7) referenced by the execution of the RDM on the user system. Frese does not teach a voice network call, nor causing an audible tone to adjust a media setting.

Pfeifer teaches a voice network (FIG. 1, column 1 lines 18-32) referenced by the digital phone network 40, causing an audible tone at a predetermined volume to be produced by a speaker (FIG. 2, column 3 lines 9-18, column 5 lines 23-32) referenced by the test tone through user A loudspeaker 150, connected to the end user computer (FIG. 2, column 1 lines 40-47, column 5 lines 23-32) referenced by Speaker 150 connection to User A Host Processor Computer System 60, and adjust a media setting (FIG. 2, column 3 lines 9-35) referenced by the adjustment by the User A Acoustic Echo Canceller 130, in accordance with a time delay (column 3 lines 9-18) referenced by measurement of time delay dt_1 , between the audible tone and a sound corresponding to the audible tone detected by a microphone connected to the end user computer (FIG. 2, column 3 lines 9-35) referenced by the test tone detected by Microphone 160 connected to Host Processor Computer System 60.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the software based bridging system of Pfeifer to the remote control network application of Frese II for the purpose of implementing a software program stored in memory within the host processor associated with a PC/speaker phone system for execution by the associated CPU as suggested by Pfeifer (column 2 lines 59-62).

Claim 21, Frese II teaches a method for configuring a remote computer over data packet network (Abstract lines 1-4) referenced by the remote controlling of an application program over a network, comprising the steps of downloading an applet to an end user computer (Abstract lines 1-7, column 5 lines 15-24) referenced by the downloading of the Remote Display Module across the network to the user system, executing the applet at the end user computer (Abstract lines 1-7) referenced by the execution of the RDM on the user system. Frese does not teach a voice network call, nor causing an audible tone to adjust a media setting.

Pfeifer teaches a voice network (FIG. 1, column 1 lines 18-32) referenced by the digital phone network 40, causing an audible tone at a predetermined volume to be produced by a speaker (FIG. 2, column 3 lines 9-18, column 5 lines 23-32) referenced by the test tone through user A loudspeaker 150, connected to the end user computer (FIG. 2, column 1 lines 40-47, column 5 lines 23-32) referenced by Speaker 150 connection to User A Host Processor Computer System 60, and adjust a media setting (FIG. 2, column 3 lines 9-35) referenced by the adjustment by the User A Acoustic Echo Canceller 130, in accordance with an amplitude of a sound (column 5 lines 1-4) referenced by the adjustment by amplitude co-efficient K_b , corresponding to the audible tone detected by a microphone connected to the end user computer (FIG. 2, column 3 lines 9-35) referenced by the test tone detected by Microphone 160 connected to Host Processor Computer System 60.

Art Unit: 2664

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the software based bridging system of Pfeifer to the remote control network application of Frese II for the purpose of implementing a software program stored in memory within the host processor associated with a PC/speaker phone system for execution by the associated CPU as suggested by Pfeifer (column 2 lines 59-62).

2. Claims 17-20, 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Frese II and Pfeifer as applied to claims 14, 21 above, and further in view of Kuo et al. (Patent number 5296643).

Claims 17-20, 22-25, Frese II and Pfeifer teach a remote control method of adjusting echo cancellation for audio conferencing. They do not teach media setting of echo suppression nor microphone volume.

Kuo teaches a media setting of echo suppression (FIG. 1) referenced by Echo Adjust 36, a media setting of echo cancellation (FIG. 4A) referenced by Echo/Reverb Vocal Enhancer 59, a media setting of microphone volume (FIG. 1) referenced by MIC IN 38 with adjustment 39, a media setting of speaker volume (FIG. 1) referenced by Volume Adjust 33.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the audio media controls of Kuo to the remote control network

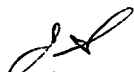
Art Unit: 2664

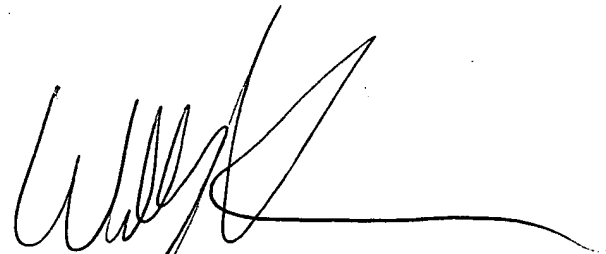
audio conferencing of Frese II and Pfeifer for the purpose of providing a method for determining one or more selective characteristics of a person's voice and enable automatic adjustment of a new type equipment as suggested by Kuo (column 3 lines 16-24).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Shew whose telephone number is 571-272-3137. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


js



WELLINGTON CHIN
SUPERVISORY PATENT EXAMINER